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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/673,132	09/30/2003	Takayuki Iida	Q77721	3826
23373 7590 07/24/2007 SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			EXAMINER ZHAO, DAQUAN.	
			ART UNIT 2621	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/673,132

Applicant(s)

IIDA, TAKAYUKI

Examiner

Daquan Zhao

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 9/16/2004;9/30/2003.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Specification*

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 2, 5, 6 and 13 are rejected under 35 U.S.C. 102(e) as being anticipated by Gunji et al (US 7,212,725 B2).

**Regarding claim 1**, Gunji et al teach a recording media editing apparatus comprising: recording size reading means for reading sizes of a free space and a used space in each of recording media of different types (e.g. figure 4, available and recorded space for DVD and HDD, column 9, line 57- column 10, line 10), the recording media respectively storing digital image data (e.g. column 4, lines 21-27, MPEG format); recording size display means for displaying on a display device the used space size and the free space size of each of the recording media by using the same scale for the same sizes for enabling visual comparison thereof (e.g. e.g. figure 4, available and

recorded space for DVD and HDD, column 9, line 57- column 10, line 10, the bar display are in the same scale, which is Mb, since the recording rate is in the unit of Mbps taught in column 8, lines 66-67); and first image data editing means for editing the digital image data stored in each of the recording media whose used space size and free space size are displayed by the recording size display means (e.g. "editing means" is interpreted as the arrangement of video data, and column 6, line 57- column 7, line 6, teach the video and sub-video are separated (or arranged) before it is outputted from the medium; Gunji et al also teach arrange video from one medium to another medium in column 4, line 60- column 5, line 2).

**Claim 13** is rejected for the same reasons as discussed in claim 1 above with further limitation: displaying a recording order of the digital image data recorded in the recording medium (e.g. figure 4 shows the recording program in a "chronological" order, which is 4/12, 4/14, 4/18...etc) and a image file size corresponding to the number of recorded pixels (It is inherent that the image file size corresponds to the number of recorded pixels because Gunji et al teach the video data is compressed in MPEG1 or MPEG2 format in column 4, line 23. In MPEG, each frame or image contains macroblock and each macroblock contains 16x16 pixels).

**Regarding claim 2**, Gunji et al teach the sizes are displayed in the form of a bar graph (e.g. see figure 4).

**Regarding claims 5 and 6**, Gunji et al teach recording area reading means for reading a recording area of the digital image data recorded in each of the recording media of different types (e.g. figure 1, data processor 36, column 4, lines 49-54);

recording area display means for displaying on the display device a recording order of the digital image data (e.g. figure 4 shows the recording order of the programs in chronological order and the file size of the DVD and the HDD in a bar) and a image file size corresponding to the number of recorded pixels thereof for visual confirmation of the recording area position and the image file size, based on the recording area read by the recording area reading means (It is inherent that the image file size corresponds to the number of recorded pixels because Gunji et al teach the video data is compressed in MPEG1 or MPEG2 format in column 4, line 23. In MPEG, each frame or image contains macroblock and each macroblock contains 16x16 pixels); second image data editing means for editing the digital image data whose recording area position and image file size are displayed by the recording area display means (e.g. "editing means" is interpreted as the arrangement of video data, and column 6, line 57- column 7, line 6, teach the video and sub-video are separated (or arranged) before it is outputted from the medium; Gunji et al also teach arrange video from one medium to another medium in column 4, line 60- column 5, line 2).

### **Claim Rejections - 35 USC § 103**

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 3, 7, 9, 10, 11 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gunji et al (US 7,212,725 B2) as applied to claims 1, 2, 5, 6 and 13 above, and further in view of Oka et al (US 6,828,994 B2).

See the teaching of Gunji et al above.

**Regarding claim 3**, Gunji et al teach moving the digital image data stored in one of the recording media to another one of the recording media (e.g. column 4, line 60- column 5, line 2). However, Gunji et al fail to teach moving a portion in the bar graph to a different location. Oka et al teach moving a portion in the bar graph to a different location (e.g. column 32, lines 61- 67, wherein DV4 corresponds to a portion of the video, which is taught in column 31, column 31, lines 10-26). It would have been obvious for one ordinary skill in the art at the time the invention was made to incorporate the teaching of Oka et al into the teaching of Gunji et al to quickly transfer or erase data.

**Regarding claim 7**, Gunji et al teach recording area reading means for reading a recording area of the digital image data recorded in each of the recording media of different types (e.g. figure 1, data processor 36, column 4, lines 49-54); recording area display means for displaying on the display device a recording order of the digital image data (e.g. figure 4 shows the recording order of the programs in chronological order) and a image file size corresponding to the number of recorded pixels thereof for visual confirmation of the recording area position and the image file size, based on the recording area read by the recording area reading means(It is inherent that the image file size corresponds to the number of recorded pixels because Gunji et al teach the video data is compressed in MPEG1 or MPEG2 format in column 4, line 23. In MPEG,

each frame or image contains macroblock and each macroblock contains 16x16 pixels); second image data editing means for editing the digital image data whose recording area position and image file size are displayed by the recording area display means (e.g. "editing means" is interpreted as the arrangement of video data, and column 6, line 57- column 7, line 6, teach the video and sub-video are separated (or arranged) before it is outputted from the medium; Gunji et al also teach arrange video from one medium to another medium in column 4, line 60- column 5, line 2).

**Regarding claims 9, 10, 11 and 14,** Oka et al teach the second image data editing means enables specification of a portion of the digital image data whose image file size is desired to be changed from among the digital image data displayed on the display device, and carries out resizing processing on the portion of the digital image data that has been specified (e.g. column 32, lines 60-67, resizing -> erasing portion of the file).

4. Claims 4, 8 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gunji et al (US 7,212,725 B2) and Oka et al (US 6,828,994 B2) as applied to claims 1, 2, 3, 5,6, 7,9, 10, 11,13 and 14 above, and further in view of Priamo et al (US 4,530,090).

See the teaching of Gunji et al and Oka et al above.

**Regarding claim 4,** Gunji et al and Oka et al fail to teach confirming that the digital image data have been copied properly in the later recording medium by comparing the digital image data in the two recording media after copying the digital

image data. Priamo et al teach confirming that the digital image data have been copied properly in the later recording medium by comparing the digital image data in the two recording media after copying the digital image data (e.g. column 2, line 59- column 3, line 2). It would have been obvious for one ordinary skill in the art at the time the invention was made to incorporate the teaching of Priamo et al into the teaching of Gunji et al and Oka et al to obtain a robust system.

**Regarding claim 8,** Gunji et al teach recording area reading means for reading a recording area of the digital image data recorded in each of the recording media of different types (e.g. figure 1, data processor 36, column 4, lines 49-54); recording area display means for displaying on the display device a recording order of the digital image data (e.g. figure 4 shows the recording order of the programs in chronological order) and a image file size corresponding to the number of recorded pixels thereof for visual confirmation of the recording area position and the image file size, based on the recording area read by the recording area reading means(It is inherent that the image file size corresponds to the number of recorded pixels because Gunji et al teach the video data is compressed in MPEG1 or MPEG2 format in column 4, line 23. In MPEG, each frame or image contains macroblock and each macroblock contains 16x16 pixels); second image data editing means for editing the digital image data whose recording area position and image file size are displayed by the recording area display means (e.g. "editing means" is interpreted as the arrangement of video data, and column 6, line 57- column 7, line 6, teach the video and sub-video are separated (or arranged) before



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it is outputted from the medium; Gunji et al also teach arrange video from one medium to another medium in column 4, line 60- column 5, line 2).

**Regarding claim 12**, Oka et al teach the second image data editing means enables specification of a portion of the digital image data whose image file size is desired to be changed from among the digital image data displayed on the display device, and carries out resizing processing on the portion of the digital image data that has been specified (e.g. column 32, lines 60-67, resizing -> erasing portion of the file).

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**Conclusion**

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Goto et al (US 7,218,837 B2).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daquan Zhao whose telephone number is (571) 270-1119. The examiner can normally be reached on M-Fri. 7:30 -5, alt Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tran Thai Q, can be reached on (571)272-7382. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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